

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

**STEPHAN MELISE,**  
**Plaintiff**

**v.**

**COYNE-FAGUE, et al.**  
**Defendants**

:  
:  
:  
:  
:  
:  
:

**C.A. No.: 1:17-cv-00490-MSM-PAS**

**MOTION TO COMPEL**

Plaintiff in the above-entitled matter hereby moves this Honorable Court to compel Defendants to produce documents as described in Plaintiff's Memorandum of Support filed simultaneously herewith pursuant to Fed. R. Civ. P. 37(a)(3) and order sanctions pursuant to Rule 11, Rule 37(a)(5), and/or this Court's inherent authority. As grounds therefor and in support thereof, Plaintiff states that the requested documents are not protected by the Rhode Island Confidentiality of Health Care Communications and Information Act ("R.I. Confidentiality Act") or the Health Insurance Portability and Accountability Act ("HIPAA"), are highly relevant to Plaintiff's claims, that the legal arguments raised by Defendants in this discovery dispute are frivolous as they have been resolved by binding case law directly on-point, and by a prior order of this Court in this case on an essentially identical argument. As such Defendants' discovery conduct is in bad-faith and is sanctionable.

WHEREFORE, Plaintiff respectfully prays that this Court grant his Motion to Compel, including the following relief:

1. Overrule Defendants' objections, grant the within Motion in the form and manner requested herein, and order Defendants to produce the Triage Meeting Minutes, subject only to limited redactions for personally identifiable information, within 7 days;
2. That, under the circumstances, Defendants be ordered to pay the counsel fees and costs of seeking a judicial conference and bringing this Motion to Compel as a sanction for Defendants' willful and intentional refusal to comply with discovery requests and requiring Plaintiff to respond to numerous frivolous arguments;

3. Issue a written decision that will assist Plaintiff in resolving future discovery disputes with Defendants and other parties to reduce the unnecessary involvement of this Court; and,
4. Such other and further relief as this Court deems just and proper.

Plaintiff,  
By his attorney,

**Dated: May 15, 2020**

/s/ Chloe A. Davis  
**Chloe A. Davis, Esq.** Bar No. 9334  
Sinapi Law Associates, Ltd.  
2374 Post Road, Suite 201  
Warwick, RI 02886  
Phone: (401) 739-9690  
Email [cad@sinapilaw.com](mailto:cad@sinapilaw.com)

**CERTIFICATION**

Jeffrey G. Latham, Esquire  
Christine A. Stowell, Esquire  
Tate & Latham  
40 Westminister Street, Suite 350  
Providence, RI 02903  
(401) 421-7400  
[jlatham@tatelawri.com](mailto:jlatham@tatelawri.com)  
[cstowell@tatelawri.com](mailto:cstowell@tatelawri.com)

Justin J. Sullivan, Esquire  
Lauren E. Hill, Esquire  
Department of the Attorney General  
State of Rhode Island  
150 South Main Street  
Providence, RI 02903  
401-274-4400  
[jisullivan@riag.ri.gov](mailto:jisullivan@riag.ri.gov)  
[lhill@riag.gov](mailto:lhill@riag.gov)

I hereby certify that on **May 15, 2020**, a true copy of the within was filed electronically via the Court's CM/ECF System. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system and the filing is available for viewing and downloading from the Court's CM/ECF System. Service on the counsel of record listed above has been effectuated by electronic means.

/s/ Chloe A. Davis